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|  |                           |                   |
|--|---------------------------|-------------------|
| <b>DECLARATION AND POWER<br/>OF ATTORNEY FOR UTILITY<br/>OR DESIGN<br/><br/>PATENT APPLICATION</b><br><br><input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration<br>Submitted with      Submitted after Initial<br>Initial Filing      Filing (surcharge<br>37 CFR 1.16(e) required) | Attorney Docket No.       | BSC-081           |
|  | First Named Inventor      | Barry N. Gellman  |
|  | <b>COMPLETE IF KNOWN</b>  |                   |
|  | Application Serial Number | 09/023,965        |
|  | Filing Date               | February 13, 1998 |
|  | Group Art Unit            |                   |
|  | Examiner Name             |                   |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Percutaneous And Hiatal Devices And Methods For Use In Minimally Invasive Pelvic Surgery

(Title of the Invention)

the specification of which

☐ is attached hereto  
OR☒ was filed on February 13, 1998 as United States Application Serial Number or PCT International (MM/DD/YYYY)

Application Number 09/023,965 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy Attached? |                          |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |         |                                     |                          | YES                      | NO                       |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  |         |                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

|                              |                          |  |
|------------------------------|--------------------------|--|
| Application Serial Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto. |
| 60/038,171                   | February 13, 1997        |  |

## Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/023,965

Page 2 of 4

**DECLARATION - Utility or Design Patent Application**

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent<br>Serial Number | Parent Filing Date<br>(MM/DD/YYYY) | Parent Patent Number<br>(if applicable) |
|--|------------------------------------|---|
|  |                                    |   |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
Label Here



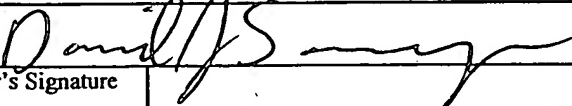
| Name                   | Registration<br>Number | Name                  | Registration<br>Number |
|------------------------|------------------------|-----------------------|------------------------|
| Steven M. Bauer        | 31,481                 | Marianne McLaughlin   | P-42,870               |
| Isabelle A.S. Blundell | P-43,321               | Thomas C. Meyers      | 36,989                 |
| Michael H. Brodowski   | P-41,640               | Edmund R. Pitcher     | 27,829                 |
| Joseph A. Capraro, Jr. | 36,471                 | Kurt Rauschenbach     | 40,137                 |
| Jerrie L. Chiu         | P-41,670               | Michelle B. Rosenberg | 40,792                 |
| John J. Cotter         | 38,116                 | Michael J. Schmelzer  | P-43,093               |
| Jennifer L. Dupre      | P-41,722               | J. Scott Southworth   | 39,382                 |
| Duncan A. Greenhalgh   | 38,678                 | Christopher W. Stamos | 35,370                 |
| William G. Guerin      | 41,047                 | Robert J. Tosti       | 35,393                 |
| Ira Heffan             | 41,059                 | Thomas A. Turano      | 35,722                 |
| Elizabeth E. Kim       | P-43,334               | Michael J. Twomey     | 38,349                 |
| Douglas J. Kline       | 35,574                 | Christine C. Vito     | 39,061                 |
| John D. Lanza          | 40,060                 | Patrick R.H. Waller   | 41,418                 |
| Timothy P. Linkkila    | 40,702                 |                       |                        |

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |  |   |                     |       |    |                        |       |               |     |
|---|--|---|---------------------|-------|----|------------------------|-------|---------------|-----|
| Name of Sole or First Inventor:   |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor       |                     |       |    |                        |       |               |     |
| Given Name (first and middle [if any])  |  |   |                     |       |    | Family Name or Surname |       |               |     |
| Barry N.  |  |   |                     |       |    | Gellman                |       |               |     |
| Inventor's Signature  |  |    |                     |       |    | Date                   |       | 6/17/98       |     |
| Residence   |  | 19 Pebble Brook Road  |                     |       |    | Citizenship            |       | United States |     |
|   |  | City  | Easton              | State | MA | Zip                    | 02356 | Country       | USA |
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| <input checked="" type="checkbox"/> Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) attached hereto. |  |   |                     |       |    |                        |       |               |     |
| Name of Additional Joint Inventor, if any:  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor       |                     |       |    |                        |       |               |     |
| Given Name (first and middle [if any])  |  |   |                     |       |    | Family Name or Surname |       |               |     |
| Rodney  |  |   |                     |       |    | Brenneman              |       |               |     |
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|   |  | City  | San Juan Capistrano | State | CA | Zip                    | 92675 | Country       | USA |
| Post Office Address   |  | 34002 Las Palmas Del Mar  |                     |       |    |                        |       |               |     |
|   |  | City  | San Juan Capistrano | State | CA | Zip                    | 02675 | Country       | USA |
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| David   |  |   |                     |       |    | Sauvageau              |       |               |     |
| Inventor's Signature  |  |  |                     |       |    | Date                   |       | 6/17/98       |     |
| Street Address  |  | 147 Old Ferry Road  |                     |       |    | Citizenship            |       | United States |     |
|   |  | City  | Methuen             | State | MA | Zip                    | 01884 | Country       | USA |
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Serial No.: 09/023,965

Page 4 of 4

|  |      |                                   |       |   |             |       |               |
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| Name of Additional Joint Inventor, if any: |      |                                   |       | <input type="checkbox"/> A petition has been filed for this unsigned inventor |             |       |               |
| Given Name (first and middle [if any])     |      |                                   |       | Family Name or Surname  |             |       |               |
| William                                    |      |                                   |       | Pintauro  |             |       |               |
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|  | City | Ft. Lauderdale                    | State | FL  | Zip         | 33308 | Country USA   |
| Post Office Address                        |      | 3400 Galt Ocean Drive, Apt. 1905S |       |   |             |       |               |
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| Rodney                                     |      |                    |       | Appell  |             |       |               |
| Inventor's Signature                       |      |                    |       |   | Date        |       |               |
| Street Address                             |      | 3157 Kingsley Road |       |   | Citizenship |       | United States |
|  | City | Shaker Heights     | State | OH  | Zip         | 44122 | Country USA   |
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| Given Name (first and middle [if any])     |      |                  |       | Family Name or Surname  |             |       |               |
| Armand A.                                  |      |                  |       | Morin   |             |       |               |
| Inventor's Signature                       |      |                  |       |   | Date        |       |               |
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|  | City | Berkeley         | State | MA  | Zip         | 02779 | Country USA   |
| Post Office Address                        |      | 24 Locust Street |       |   |             |       |               |
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|   | First Named Inventor      | Barry N. Gellman  |
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| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | YES                      | NO                       |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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|                              |                          |  |

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/023,965

Page 2 of 4

## DECLARATION - Utility or Design Patent Application

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As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practioner(s) name/registration number listed below



Place Customer  
Number Bar Code  
Label Here

| Name                   | Registration<br>Number | Name                  | Registration<br>Number |
|------------------------|------------------------|-----------------------|------------------------|
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| Timothy P. Linkkila    | 40,702                 |                       |                        |

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Direct all correspondence to:

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125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

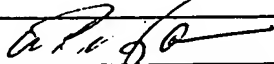
## Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/023,965

Page 3 of 4

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|---|--|---|---------------------|-------|----|------------------------|-------|---------------|-----|
| Name of Sole or First Inventor:   |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |       |    |                        |       |               |     |
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| David   |  |   |                     |       |    | Sauvageau              |       |               |     |
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| Given Name (first and middle [if any])     |   |   |       |    | Family Name or Surname |             |         |               |  |
| William                                    |   |   |       |    | Pintauro               |             |         |               |  |
| Inventor's Signature                       |  |   |       |    |                        | Date        |         | 8/24/98       |  |
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|  | City  | Ft. Lauderdale  | State | FL | Zip                    | 33308       | Country | USA           |  |
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| Armand A.                                  |                  |   |       |    | Morin                  |             |         |               |  |
| Inventor's Signature                       |                  |   |       |    |                        | Date        |         |               |  |
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|  | City             | Berkeley  | State | MA | Zip                    | 02779       | Country | USA           |  |
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I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached?     |                             |
|-------------------------------------|---------|----------------------------------|--------------------------|------------------------------|-----------------------------|
|                                     |         |                                  | <input type="checkbox"/> | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/>     | <input type="checkbox"/>    |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/>     | <input type="checkbox"/>    |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/>     | <input type="checkbox"/>    |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Serial Number(s) | Filing Date (MM/DD/YYYY) |  |
|------------------------------|--------------------------|--|
| 60/038,171                   | February 13, 1997        | <input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto. |

## DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent<br>Serial Number | Parent Filing Date<br>(MM/DD/YYYY) | Parent Patent Number<br>(if applicable) |
|--|------------------------------------|---|
|  |                                    |   |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below



*Place Customer  
Number Bar Code  
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| Name                   | Registration<br>Number | Name                  | Registration<br>Number |
|------------------------|------------------------|-----------------------|------------------------|
| Steven M. Bauer        | 31,481                 | Marianne McLaughlin   | P-42,870               |
| Isabelle A.S. Blundell | P-43,321               | Thomas C. Meyers      | 36,989                 |
| Michael H. Brodowski   | P-41,640               | Edmund R. Pitcher     | 27,829                 |
| Joseph A. Capraro, Jr. | 36,471                 | Kurt Rauschenbach     | 40,137                 |
| Jerrie L. Chiu         | P-41,670               | Michelle B. Rosenberg | 40,792                 |
| John J. Cotter         | 38,116                 | Michael J. Schmelzer  | P-43,093               |
| Jennifer L. Dupre      | P-41,722               | J. Scott Southworth   | 39,382                 |
| Duncan A. Greenhalgh   | 38,678                 | Christopher W. Stamos | 35,370                 |
| William G. Guerin      | 41,047                 | Robert J. Tosti       | 35,393                 |
| Ira Heffan             | 41,059                 | Thomas A. Turano      | 35,722                 |
| Elizabeth E. Kim       | P-43,334               | Michael J. Twomey     | 38,349                 |
| Douglas J. Kline       | 35,574                 | Christine C. Vito     | 39,061                 |
| John D. Lanza          | 40,060                 | Patrick R.H. Waller   | 41,418                 |
| Timothy P. Linkkila    | 40,702                 |                       |                        |

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## Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/023,965


Page 3 of 4

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |  |   |                     |       |    |                               |       |               |     |
|---|--|---|---------------------|-------|----|-------------------------------|-------|---------------|-----|
| <b>Name of Sole or First Inventor:</b>  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |       |    |                               |       |               |     |
| <b>Given Name (first and middle [if any])</b>   |  |   |                     |       |    | <b>Family Name or Surname</b> |       |               |     |
| Barry N.  |  |   |                     |       |    | Gellman                       |       |               |     |
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|   |  | City  | Easton              | State | MA | Zip                           | 02356 | Country       | USA |
| <input checked="" type="checkbox"/> Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) attached hereto. |  |   |                     |       |    |                               |       |               |     |
| <b>Name of Additional Joint Inventor, if any:</b>   |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |       |    |                               |       |               |     |
| <b>Given Name (first and middle [if any])</b>   |  |   |                     |       |    | <b>Family Name or Surname</b> |       |               |     |
| Rodney  |  |   |                     |       |    | Brenneman                     |       |               |     |
| <b>Inventor's Signature</b>   |  |   |                     |       |    | <b>Date</b>                   |       |               |     |
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|   |  | City  | San Juan Capistrano | State | CA | Zip                           | 92675 | Country       | USA |
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|   |  | City  | San Juan Capistrano | State | CA | Zip                           | 02675 | Country       | USA |
| <b>Name of Additional Joint Inventor, if any:</b>   |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |       |    |                               |       |               |     |
| <b>Given Name (first and middle [if any])</b>   |  |   |                     |       |    | <b>Family Name or Surname</b> |       |               |     |
| David   |  |   |                     |       |    | Sauvageau                     |       |               |     |
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|  |      |                                   |       |   |             |       |               |
|--|------|-----------------------------------|-------|---|-------------|-------|---------------|
| Name of Additional Joint Inventor, if any: |      |                                   |       | <input type="checkbox"/> A petition has been filed for this unsigned inventor |             |       |               |
| Given Name (first and middle [if any])     |      |                                   |       | Family Name or Surname  |             |       |               |
| William                                    |      |                                   |       | Pintauro  |             |       |               |
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| Post Office Address                        |      | 3400 Galt Ocean Drive, Apt. 1905S |       |   |             |       |               |
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|  |      |  |       |   |             |       |               |
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| Given Name (first and middle [if any])     |      |  |       | Family Name or Surname  |             |       |               |
| Rodney                                     |      |  |       | Appell  |             |       |               |
| Inventor's Signature                       |      |  |       |   | Date        |       | 8-25-98       |
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|  | City | Shaker Heights   | State | OH  | Zip         | 44122 | Country USA   |
| Post Office Address                        |      | 3157 Kingsley Road   |       |   |             |       |               |
|  | City | Shaker Heights   | State | OH  | Zip         | 44122 | Country USA   |

|  |      |                  |       |   |             |       |               |
|--|------|------------------|-------|---|-------------|-------|---------------|
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| Given Name (first and middle [if any])     |      |                  |       | Family Name or Surname  |             |       |               |
| Armand A.                                  |      |                  |       | Morin   |             |       |               |
| Inventor's Signature                       |      |                  |       |   | Date        |       |               |
| Street Address                             |      | 24 Locust Street |       |   | Citizenship |       | United States |
|  | City | Berkeley         | State | MA  | Zip         | 02779 | Country USA   |
| Post Office Address                        |      | 24 Locust Street |       |   |             |       |               |
|  | City | Berkeley         | State | MA  | Zip         | 02779 | Country USA   |

|   |                           |                   |
|---|---------------------------|-------------------|
| <b>DECLARATION AND POWER<br/>OF ATTORNEY FOR UTILITY<br/>OR DESIGN<br/>PATENT APPLICATION</b><br><br><input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration<br>Submitted with      Submitted after Initial<br>Initial Filing      Filing (surcharge<br>37 CFR 1.16(e) required) | Attorney Docket No.       | BSC-081           |
|   | First Named Inventor      | Barry N. Gellman  |
|   | <b>COMPLETE IF KNOWN</b>  |                   |
|   | Application Serial Number | 09/023,965        |
|   | Filing Date               | February 13, 1998 |
|   | Group Art Unit            |                   |
|   | Examiner Name             |                   |

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Percutaneous And Hiatal Devices And Methods For Use In Minimally Invasive Pelvic Surgery

*(Title of the Invention)*

the specification of which

☐ is attached hereto  
OR

☒ was filed on February 13, 1998 as United States Application Serial Number or PCT International (MM/DD/YYYY)

Application Number 09/023,965 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

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| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed     | Certified Copy Attached? |                          |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
|                                     |         |                                  |                          | YES                      | NO                       |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                     |         |                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Serial Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto. |
|------------------------------|--------------------------|--|
| 60/038,171                   | February 13, 1997        |  |

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/023,965

Page 2 of 4

## DECLARATION - Utility or Design Patent Application

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| U.S. Parent Application or PCT Parent<br>Serial Number | Parent Filing Date<br>(MM/DD/YYYY) | Parent Patent Number<br>(if applicable) |
|--|------------------------------------|---|
|  |                                    |   |

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As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below



Place Customer  
Number Bar Code  
Label Here

| Name                   | Registration<br>Number | Name                  | Registration<br>Number |
|------------------------|------------------------|-----------------------|------------------------|
| Steven M. Bauer        | 31,481                 | Marianne McLaughlin   | P-42,870               |
| Isabelle A.S. Blundell | P-43,321               | Thomas C. Meyers      | 36,989                 |
| Michael H. Brodowski   | P-41,640               | Edmund R. Pitcher     | 27,829                 |
| Joseph A. Capraro, Jr. | 36,471                 | Kurt Rauschenbach     | 40,137                 |
| Jerrie L. Chiu         | P-41,670               | Michelle B. Rosenberg | 40,792                 |
| John J. Cotter         | 38,116                 | Michael J. Schmelzer  | P-43,093               |
| Jennifer L. Dupre      | P-41,722               | J. Scott Southworth   | 39,382                 |
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| Douglas J. Kline       | 35,574                 | Christine C. Vito     | 39,061                 |
| John D. Lanza          | 40,060                 | Patrick R.H. Waller   | 41,418                 |
| Timothy P. Linkkila    | 40,702                 |                       |                        |

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to:

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Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/023,965

Page 3 of 4

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|   |  |   |                     |       |    |                        |       |               |     |
|---|--|---|---------------------|-------|----|------------------------|-------|---------------|-----|
| Name of Sole or First Inventor:   |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |       |    |                        |       |               |     |
| Given Name (first and middle [if any])  |  |   |                     |       |    | Family Name or Surname |       |               |     |
| Barry N.  |  |   |                     |       |    | Gellman                |       |               |     |
| Inventor's Signature  |  |   |                     |       |    | Date                   |       |               |     |
| Residence   |  | 19 Pebble Brook Road  |                     |       |    | Citizenship            |       | United States |     |
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| <input checked="" type="checkbox"/> Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) attached hereto. |  |   |                     |       |    |                        |       |               |     |
| Name of Additional Joint Inventor, if any:  |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                     |       |    |                        |       |               |     |
| Given Name (first and middle [if any])  |  |   |                     |       |    | Family Name or Surname |       |               |     |
| Rodney  |  |   |                     |       |    | Brenneman              |       |               |     |
| Inventor's Signature  |  |   |                     |       |    | Date                   |       |               |     |
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|   |  | City  | San Juan Capistrano | State | CA | Zip                    | 92675 | Country       | USA |
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|   |  | City  | San Juan Capistrano | State | CA | Zip                    | 02675 | Country       | USA |
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| Given Name (first and middle [if any])  |  |   |                     |       |    | Family Name or Surname |       |               |     |
| David   |  |   |                     |       |    | Sauvageau              |       |               |     |
| Inventor's Signature  |  |   |                     |       |    | Date                   |       |               |     |
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|  |  |   |                |       |                        |             |       |               |     |
|--|--|---|----------------|-------|------------------------|-------------|-------|---------------|-----|
| Name of Additional Joint Inventor, if any: |  | <input type="checkbox"/> A petition has been filed for this unsigned inventor |                |       |                        |             |       |               |     |
| Given Name (first and middle [if any])     |  |   |                |       | Family Name or Surname |             |       |               |     |
| William                                    |  |   |                |       | Pintauro               |             |       |               |     |
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| Given Name (first and middle [if any])     |  |   |                |       | Family Name or Surname |             |       |               |     |
| Rodney                                     |  |   |                |       | Appell                 |             |       |               |     |
| Inventor's Signature                       |  |   |                |       |                        | Date        |       |               |     |
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| Given Name (first and middle [if any])     |  |   |                |       | Family Name or Surname |             |       |               |     |
| Armand A.                                  |  |   |                |       | Morin                  |             |       |               |     |
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